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MAY 30 2024

Lisa A. Biron
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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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101 Mission Street, Sixth Floor
San Francisco, CA 94105-1738

May 17, 2024

Rights Behind Bars
416 Florida Avenue NW, # 26152
Washington, DC 20001

24-cv-3341-VKD

FILED

Jun 04 2024
Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Re: Dublin Plaintiffs Housed at FCI Tallahassee

Dear Counselors:

I am a formerly licensed attorney (MA & NH), incarcerated for 11 1/2 years (wrongfully convicted) in the federal Bureau of Prisons ("FBOP") on a 40-year sentence. I have been housed at 5 different facilities since 2013, and am known as one who fights to improve conditions at this defunct agency. I was transferred here in March 2024, and am shocked at the deplorable conditions at this place. I will not go into detail here on much of this, but will direct you to the November 2023 Inspection of the Federal Bureau of Prisons' Federal Correctional Institution Tallahassee performed by the Department of Justice, Office of the Inspector General, in May 2023 available in full on the DOJ OIG website. I have enclosed the cover page of that report and the executive summary. Someone has been stealing from this facility for a very long time.

I write because I know you are particularly concerned about retaliatory actions against the Dublin Adults in Custody ("AIC"), and an incident has recently occurred here, perpetrated by staff against me, which is negatively affecting the Dublin AIC housed in Unit C-North with me.

I was told by other AIC when I arrived here about staff retaliation, but was not prepared for what I have experienced here (and am presently experiencing). Particularly, I write about the actions of the Supervisor of Facilities Mr. Robinson, the General Forman of Facilities Mr. Walker, and the inaction of Acting Warden Saulsberry who was fully informed of the matter.

In sum, it was extremely cold in my living area in the open dorm unit of C-North. I requested a temperature check several times. This is normally performed in the ordinary course in FBOP facilities. In response to my (apparently) audacious requests, without actually checking the ambient temperature (I was told today that these thermometers have been ordered), Mr. Robinson and Mr. Walker raised the temperature on the unit by ten

Counselors/Dublin Plaintiffs
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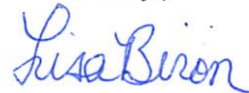
(10) degrees making it hot, muggy, and smelly and everyone who lives there miserable.

Most atrociously, Robinson, Walker and other unknown named staff members told the AIC population that they did this because of my complaints. This has caused much hostility toward me as many of the AIC have played into the hands of the staff whose intentions were obviously to deter me from raising issues. I spoke in person today with Mr. Walker who told me he did not have any ambient temperature thermometers. When I asked Mr. Walker why he would set the temperature so high, he stated that it was policy. I told him that there was a temperature range in the policy. I cannot check the policy because the phones and computers have not worked for a week, but even if he were correct, the temperature is at the very maximum allowed. I asked why he would do this? People are hot and arguing--it is a safety and security issue. He replied that it was to conserve energy and tax-payer money.

I hope you will keep close tabs on your plaintiffs who are housed here. I have never seen retaliation like this before. Staff have put me in danger, and certainly will not hesitate to act the same with the Dublin AIC who are in the middle of all of this with no phone or email access.

Thank you for the work you do fighting the evils of the federal Bureau of Prisons.

Sincerely,



Lisa Biron

Cc: U.S. Dist. Ct. S.D. Calif.

Enc.



Inspection of the Federal Bureau of Prisons' Federal Correctional Institution Tallahassee

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EVALUATION AND INSPECTIONS DIVISION

24-005

NOVEMBER 2023

Executive Summary



The DOJ OIG's Inspections Program

Between Monday, May 22, and Saturday, May 26, 2023, the U.S. Department of Justice (DOJ) Office of the Inspector General (OIG) conducted an unannounced, on-site inspection of Federal Correctional Institution (FCI) Tallahassee, a low security female institution in Florida with a satellite male detention center.

This was the second unannounced inspection of a Federal Bureau of Prisons (BOP) institution under the OIG's new on-site inspections program. In selecting an inspection site, we sought an institution operationally comparable to our first inspection site, FCI Waseca, but with a different risk profile. FCI Tallahassee fit our selection criteria because, like FCI Waseca, it is a female facility with a similar size inmate complement. Unlike FCI Waseca, however, which rated as "low risk" on a prison inspection tool the OIG is developing and piloting internally, FCI Tallahassee rated as "high risk" on that tool.

As we detail in the report, we identified at FCI Tallahassee many significant issues, most of which were consistent with findings in our other recent BOP oversight work and which we have reported on publicly. We do not make recommendations in this report because in our prior work we have recommended that the BOP address many of its issues at an enterprise level. Therefore, through our efforts to resolve those recommendations, we will monitor the BOP's efforts to address these issues at all of its institutions, including FCI Tallahassee.

Our inspection identified several serious operational deficiencies at FCI Tallahassee. Among the most concerning were the alarming conditions of its food service and storage operations. Specifically, on our second day at the institution, we observed inmates being served moldy bread and vegetables rotting in a refrigerator in a food preparation area at the female prison. We also observed in food storage warehouses likely evidence of rodent droppings and rodents having chewed through boxes of food, as well as bags of cereal with insects in them and warped food containers. Within 24 hours of the OIG alerting institution management of our findings, they and other staff removed large volumes of food from the storage warehouses.

We also identified in the female prison serious infrastructure problems that created unsanitary and potentially unsafe conditions. Inside communal inmate bathrooms, we observed a shower in which discolored water had pooled, a shower that flooded when used, and an inoperable toilet. We also found that female housing unit roofs routinely leak and that all five general population housing unit roofs need to be replaced. Many female inmates live in housing units in which water frequently leaks from ceilings and windows on or near their living spaces. We observed housing areas in which feminine hygiene products were being used to absorb water from leaking windows, an electrical outlet that appeared to have fire damage, a sink that was detached from the wall, and a black substance on walls and ceilings. Additionally, we observed worn bedding, rusted inmate storage lockers, and unlocked supply closets.





Most staff and inmates reported feeling safe and did not believe that sexual abuse was widespread at FCI Tallahassee. We nonetheless identified serious issues affecting inmate safety, including Correctional Officer shortages, a lack of supervisory oversight at the male detention center, and operational deficiencies in core inmate management and security functions, such as weaknesses with inmate search procedures and limited security camera coverage. Staff and inmates also told us that staff do not always enforce rules consistently, and inmates believed that certain staff took retaliatory measures against them. Additionally, inmates reported that some Correctional Officers use offensive language when speaking with them. We found that, collectively, these issues have adversely affected the trust

Inmates have in Correctional Officers, which can cause some inmates to be unwilling to report staff and inmate misconduct due to fear of reprisal.

We also found that FCI Tallahassee's Health Services Department is experiencing significant staffing shortages, with 38 percent of its positions vacant, which is consistent with challenges associated with hiring healthcare professionals across the BOP. While we found that Health Services Department staff work hard to complete many of the core tasks within timeframes set by BOP policy, staff shortages have negatively affected healthcare treatment, including causing staff to modify the time of day it distributes insulin and drugs to female inmates, which may limit the therapeutic benefit of these drugs for certain inmates. Separately, we observed a healthcare provider failing to ask required questions during inmate intake screenings and not informing inmates how to access healthcare services.

We note that many of the issues we detail in this report were longstanding and that much of FCI Tallahassee's executive leadership team is new to the institution. For example, the Warden reported for duty there in January 2023. He and the leadership team were aware of many of the issues detailed in the report and at the time of our inspection had been taking steps to address them. We appreciated the full cooperation they and their staff provided to the OIG team during the inspection.

Report Highlights

 Food Service	<p>We identified serious issues with FCI Tallahassee's food service and storage operations.</p> <ul style="list-style-type: none"> • Moldy bread was served to inmates, and rotting vegetables were stored in a food preparation area refrigerator. • Pests and compromised food containers were present in food storage warehouses.
 Condition of Facilities	<p>Significant facilities issues affect the conditions of confinement for female inmates.</p> <ul style="list-style-type: none"> • Many female inmates lived in housing units with water that frequently leaked from ceilings and windows on or near their living spaces. • We observed poor conditions, including an inoperable toilet and showers, in communal bathrooms. • FCI Tallahassee received \$3.6 million to replace the roofs of certain administrative buildings and to replace housing unit windows; however, it had neither requested nor received funding to address necessary housing unit roof repairs.
 Staffing Shortages	<p>Significant staffing shortages affect institution operations.</p> <ul style="list-style-type: none"> • Correctional Officer shortages require the institution to routinely use overtime, which can negatively affect staff attentiveness and therefore safety and security. • The male detention center operates with a small staff complement and lacks supervisory correctional oversight. • Staff shortages in the Health Services Department have required it to modify the timing that drugs and insulin are distributed to female inmates, which may negatively affect their therapeutic effect.
 Safety and Security	<p>Most staff and inmates felt safe at the institution; however, we still identified deficiencies in core security and inmate management functions.</p> <ul style="list-style-type: none"> • Weaknesses in inmate search procedures contribute to the introduction of contraband. • Staff failed to perform inmate monitoring rounds as required by BOP policy. • Inmates and staff said that rules are not enforced consistently among Correctional Officers, and inmates said that some Correctional Officers use offensive language when speaking with them. • There are not enough cameras to sufficiently observe staff and inmate activities.

Lisa Biron
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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Judge Yvonne Gonzalez Rogers
United States District Court
Northern District of California
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941023483 004



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